

ORDINANCE NO. 2000 - 021

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA); ADOPTING SMALL SCALE AMENDMENT 00-SCA 69 COM 1 (STATE ROAD 7/WELLINGTON); MODIFYING PAGE 69 OF THE FLUA BY CHANGING A PARCEL OF LAND TOTALING APPROXIMATELY 2.50 ACRES GENERALLY LOCATED ON THE WEST SIDE OF STATE ROAD 7/US 441, APPROXIMATELY ONE-HALF OF A MILE NORTH OF FOREST HILL BOULEVARD, FROM LOW RESIDENTIAL, 2 UNITS PER ACRE (LR-2) TO COMMERCIAL HIGH-OFFICE (CH-O); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

**WHEREAS**, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, Section 163.3187(1)(c), Florida Statutes, provides comprehensive plan amendments directly related to small scale development activity may be made by local governments without regard to statutory limits regarding the timing and frequency of plan amendments; and

**WHEREAS**, Section 163.3187(1)(c)4, Florida Statutes, provides that small scale development amendments require only one public hearing before the governing board which shall be an adoption public hearing; and

**WHEREAS**, a property owner has initiated an amendment to the Future Land Use Atlas of the 1989 Comprehensive Plan; and

**WHEREAS**, the proposed amendment meets the criteria of a small scale development amendment per Section 163.3187(1)(c), Florida Statutes; and

**WHEREAS**, the Palm Beach County Local Planning Agency conducted a public hearing on July 28, 2000, to review the proposed amendment to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of

County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on August 24, 2000, to review the recommendations of the Local Planning Agency and to consider adoption of the amendments; and

**WHEREAS**, the Palm Beach County Board of County Commissioners has determined that the amendment complies with all requirements of the Local Government Comprehensive Planning and Land Development Regulation Act.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

**Part I. Amendments to the Future Land Use Atlas of the Land Use Element of the 1989 Comprehensive Plan**

The following amendment to the Future Land Use Element's Future Land Use Atlas is hereby adopted and is attached to this Ordinance:

**A. Future Land Use Atlas page 69 is amended as follows:**

**Application No.:** 00-SCA 69 COM 1 (State Road 7/Wellington)

**Amendment:** From Low Residential, 2 units per acre (LR-2)  
TO Commercial High-Office (CH-O);

**General Location:** West side of State Road 7/US 441,  
approximately one-half of a mile north of  
Forest Hill Boulevard;

**Size:** Approximately 2.50 acres.

**Part II. Repeal of Laws in Conflict**

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

**Part III. Severability**

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect

1 the remainder of this Ordinance.

2 **Part IV. Inclusion in the 1989 Comprehensive Plan**

3 The provisions of this Ordinance shall become and be made a part  
4 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the  
5 Ordinance may be renumbered or relettered to accomplish such, and the  
6 word "ordinance" may be changed to "section," "article," or any other  
7 appropriate word.

8 **Part V. Effective Date**

9 This amendment shall not become effective until 31 days after  
10 adoption. If challenged within 30 days after adoption, this amendment  
11 shall not become effective until the state land planning agency or the  
12 Administration Commission, respectively, issues a final order  
13 determining the amendment is in compliance.

14 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm  
15 Beach County, on the 24 day of August, 2000.

16 ATTEST: PALM BEACH COUNTY, FLORIDA,  
17 DOROTHY H. WILKEN, Clerk BY ITS BOARD OF COUNTY COMMISSIONERS

18 By: Joan Laverie By: Mande Ford Lee  
19 Deputy Clerk Chair

20 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

21 [Signature]  
22 COUNTY ATTORNEY

23 Filed with the Department of State on the 1st day  
24 of September, 2000.

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## EXHIBIT 1

Amendment No.: 00-SCA 69 COM 1 (State Road 7/Wellington)

FLUA Page No.: 69

Amendment: From Low Residential, 2 units per acre (LR-2) to Commercial High-Office (CH-O)

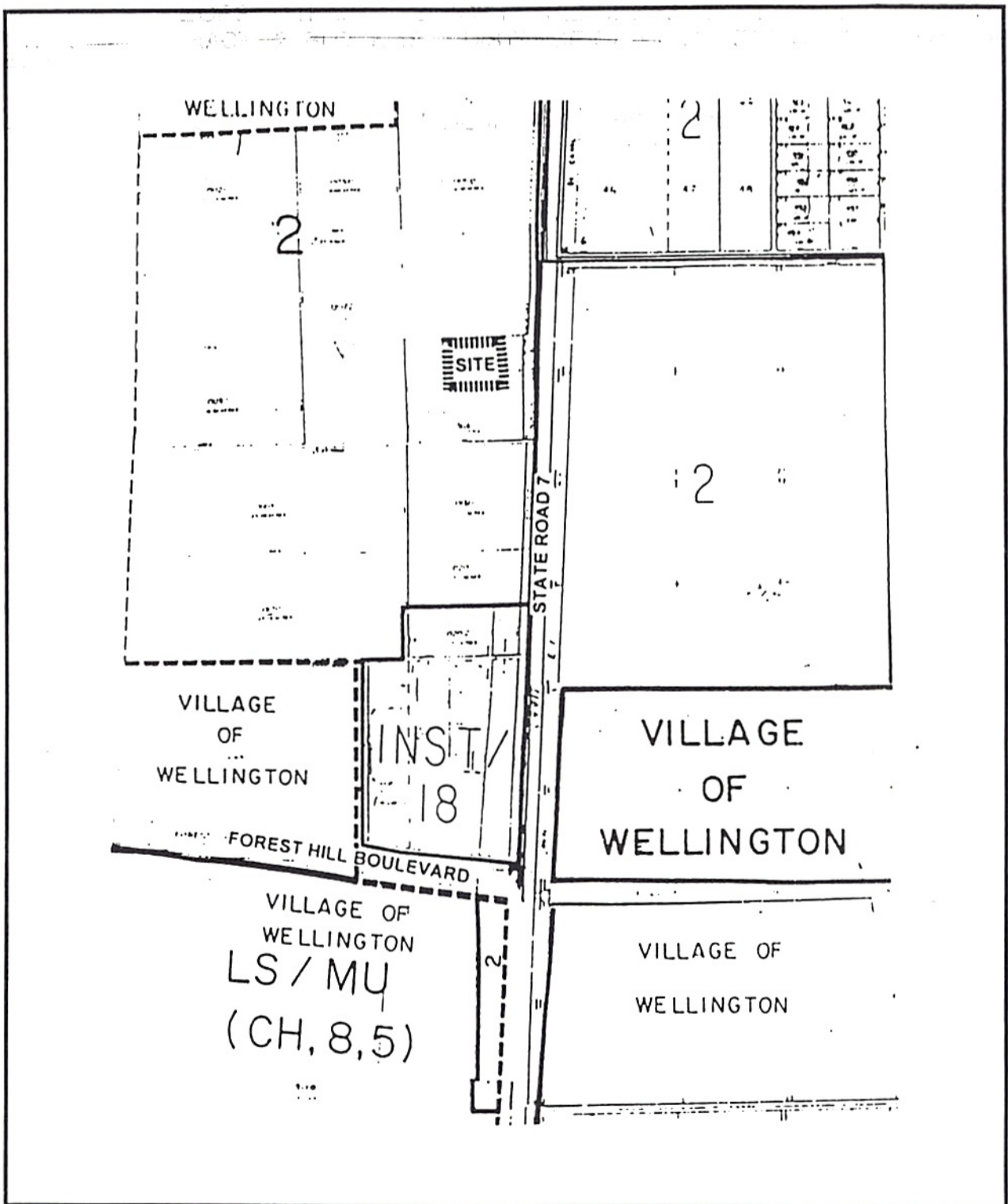
Location: On the west side of State Road 7/US 441, approximately one-half of a mile north of Forest Hill Boulevard

Size: Approximately 2.50 acres

Property No.: 00-42-43-27-05-018-0123

Legal Description: See attached

Conditions: None



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**Legal Description:**

A PARCEL OF LAND LYING WITHIN TRACT 12, BLOCK 18, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 45 THROUGH 54 INCLUSIVE IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 44 SOUTH, RANGE 41 EAST; THENCE S 01°30'24" W ALONG THE EAST LINE OF SAID SECTION 12, A DISTANCE OF 1998.67 FEET; THENCE N 88°29'36" W, DEPARTING SAID EAST LINE, A DISTANCE OF 239.71 FEET TO THE POINT OF BEGINNING; THENCE S 01°38'04" W, ALONG THE WEST RIGHT OF WAY LINE FOR STATE ROAD NO. 7, BEING 240.00 FEET WEST OF AND PARALLEL TO THE BASELINE OF SURVEY FOR STATE ROAD NO. 7 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 93210-2519, SHEET 16 OF 28 (LAST REVISION DATE 11/18/96), A DISTANCE OF 300.51 FEET; THENCE S 88°16'41" W, DEPARTING SAID RIGHT OF WAY LINE, ALONG A LINE 300 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID TRACT 12, BLOCK 18, A DISTANCE OF 363.62 FEET; THENCE N 01°38'04" E, ALONG A LINE 363.00 FEET WEST OF AND PARALLEL TO SAID RIGHT OF WAY LINE FOR STATE ROAD NO. 7, A DISTANCE OF 300.51 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 12, BLOCK 18; THENCE N 88°16'41" E, ALONG THE NORTH LINE OF SAID TRACT 12, BLOCK 18, A DISTANCE OF 363.62 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

CONTAINING 2.50 ACRES MORE OR LESS.

STATE OF FLORIDA, COUNTY OF PALM BEACH -  
I, DOROTHY H. WILKEN, ex-officio Clerk of the  
Board of County Commissioners certify this to be a  
true and correct copy of the original filed in my office  
on AUGUST 24, 2000  
DATED at West Palm Beach, FL on 9/11/00  
DOROTHY H. WILKEN, Clerk  
By: Dorothy Wilken D.C.